

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

BLACK & DECKER INC. and	)	
BLACK & DECKER (U.S.) INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 07-461 (GMS)
	)	
MAKITA U.S.A. INC. and	)	
MAKITA CORPORATION,	)	
	)	
Defendants.	)	
	)	
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MAKITA U.S.A. INC. and	)	
MAKITA CORPORATION,	)	
	)	
Plaintiffs,	)	C.A. No. 07-522 (GMS)
	)	
v.	)	
	)	
BLACK & DECKER INC. and	)	
BLACK & DECKER (U.S.) INC.	)	
	)	
Defendants.	)	

**STIPULATION AND ORDER OF DISMISSAL**

WHEREAS, the parties have executed a Settlement and License Agreement dated February 25, 2008 (the "Agreement"), resolving the claims in the above-captioned actions;

NOW, THEREFORE, Black & Decker, Inc. and Black & Decker (U.S.) Inc., (collectively "Black & Decker") and Makita U.S.A. Inc. and Makita Corporation, (collectively, "Makita") acting by and through counsel, do hereby stipulate and agree, subject to the approval of the Court, that these actions, including all claims, defenses or counterclaims as between Black & Decker and Makita, are hereby dismissed with prejudice, with each party to bear its own costs.

The Court shall retain jurisdiction to enforce the terms of the Agreement entered into in these cases, the terms of which are hereby specifically incorporated by reference in this

order. In addition, both Black & Decker and Makita hereby agree that this Court shall retain jurisdiction over any dispute related to the Agreement.

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SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

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